

good and sufficient bond, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10986. Adulteration and misbranding of flour. U. S. v. 620 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16651. I. S. No. 8058-v. S. No. W-1162.)

On July 20, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 620 sacks of flour, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by the Centennial Mill Co., Spokane, Wash., on or about July 7, 1922, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Sack) "Marquis Patent Flour Bleached 98 Lbs."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 Lbs.," appearing on the label of the sack containing the article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 31, 1922, the Albers Bros. Milling Co., Oakland, Calif., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10987. Adulteration and misbranding of flour. U. S. v. 1,498 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16667. I. S. No. 8061-v. S. No. W-1165.)

On July 25, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,498 sacks of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Crown Mills, Portland, Oreg., July 11, 1922, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Sacks) "Allen's Bakers Flour Manufactured For Allen Flour Company, San Francisco—Los Angeles, Cal. Bleached Net Weight 98 Lbs. When Packed."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the statement appearing on the labels of the sacks containing the article, "98 Lbs.," was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 27, 1922, the Allen Flour Co. having entered an appearance as claimant for the property through its agent, W. V. Byrne, and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,600, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*